

1 The Honorable John C. Coughenour
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9
10 **UNITED STATES DISTRICT COURT**
11 **WESTERN DISTRICT OF WASHINGTON**

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 and

15 PUYALLUP TRIBE OF INDIANS,

16 and

17 COMMUNITIES FOR A HEALTHY BAY,
18 and PUGET SOUNDKEEPER ALLIANCE,

19 Intervenor-Plaintiffs

20 vs.

21 ELECTRON HYDRO, LLC and THOM A.
22 FISCHER,

23 Defendants.

24 Case No. 2:20-cv-01746-JCC

25 **{PROPOSED ORDER}**
26 **ORDER GRANTING JOINT**
27 **UNOPPOSED MOTION TO AMEND**
28 **CASE SCHEDULE**

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30 **Noting Date: November 21, 2022**

31 Plaintiff the United States of America (the “United States”) and Defendants Electron
32 Hydro, LLC and Thom A. Fischer (the “Defendants”) have moved the Court for an order to
33 amend the case schedule order in this action. Plaintiff-Intervenors Puyallup Tribe of Indians and
34 Communities for a Healthy Bay and Puget Soundkeeper Alliance do not oppose the motion. The
35 Court hereby **GRANTS** the motion for good cause shown. The Parties shall comply with the

1 following case schedule:

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3 1. On or before December 26, 2022, Plaintiffs shall submit expert reports under
4 Rule 26(a)(2) of the Federal Rules of Civil Procedure.

5 2. On or before January 16, 2023, Defendants shall submit expert reports under
6 Rule 26(a)(2) of the Federal Rules of Civil Procedure.

7 3. On or before February 24, March 10, 2023, the Parties shall submit rebuttal expert
8 reports.

9 4. The Parties shall conduct expert witness depositions beginning on or before
10 March 10, 2023. Depositions of expert witnesses shall be complete by May 8, 2023.

11 5. On or before June 5, 2023, the Parties shall file any dispositive motions; motions
12 and briefs in opposition shall be filed on or before July 10, 2023; replies thereto shall be filed on
13 or before August 7, 2023.

14 6. The Parties shall file a joint proposed pretrial order on or before October 2, 2023.

15 7. Proposed findings of fact and conclusions of law shall be filed by each party by
16 October 4, 2023.

17 8. Trial briefs shall be filed by each party by October 5, 2023.

18 9. Bench trial in this matter shall commence on October 10, 2023 at 9:30 a.m. in
19 Courtroom 16206 before U.S. District Judge John C. Coughenour.

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21 So **ORDERED** this 22nd day of November 2022.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE